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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

KRISTAL D. SCHERER, an individual, on
behalf of herself individually, all others
similarly situated, and on behalf of the general
public;

Plaintiff,

v.

EDDIE BAUER, INC., a Delaware corporation,
and DOES 1 through 100, inclusive,

Defendants.

CASE NO. 07-CV-2270-JM-AJB

PROOF OF SERVICE

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My business address is 1441 State Street, San Diego, California 92101.

On January 31, 2008, I served the document(s) described as:

1. MOTION TO AMEND FIRST AMENDED CLASS ACTION COMPLAINT

 X (BY MAIL): I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Diego, California. I am readily familiar with this firm's business practice for collection and processing of correspondence for mailing with the U.S. Postal Service pursuant to which practice the correspondence will be deposited with the U.S. Postal Service this same day in the ordinary course of business (C.C.P. Section 1013(a); 2015.5):

PROOF OF SERVICE

1 Kalia C. Petmecky
2 Akin, Gump, Strauss, Hauer & Feld, LLP
3 2029 Century Park East, Suite 2400
4 Los Angeles, CA 90067-3012

Attorneys for Defendant, Eddie Bauer, Inc.

5 (BY ELECTRONIC MAIL): Pursuant to court order, I sent via email the above documents to the
6 email addressed of all parties in the attached service list.

7 (BY FEDERAL EXPRESS): I caused the above-described documents to be delivered via overnight
8 delivery (Federal Express), by placing a copy in a separate FEDERAL EXPRESS mailer and
9 attaching a completed Federal Express air bill, with Standard Overnight delivery/Priority Delivery
10 requested, and caused said mailer to deposited in the Federal Express collection box at San Diego,
11 California.

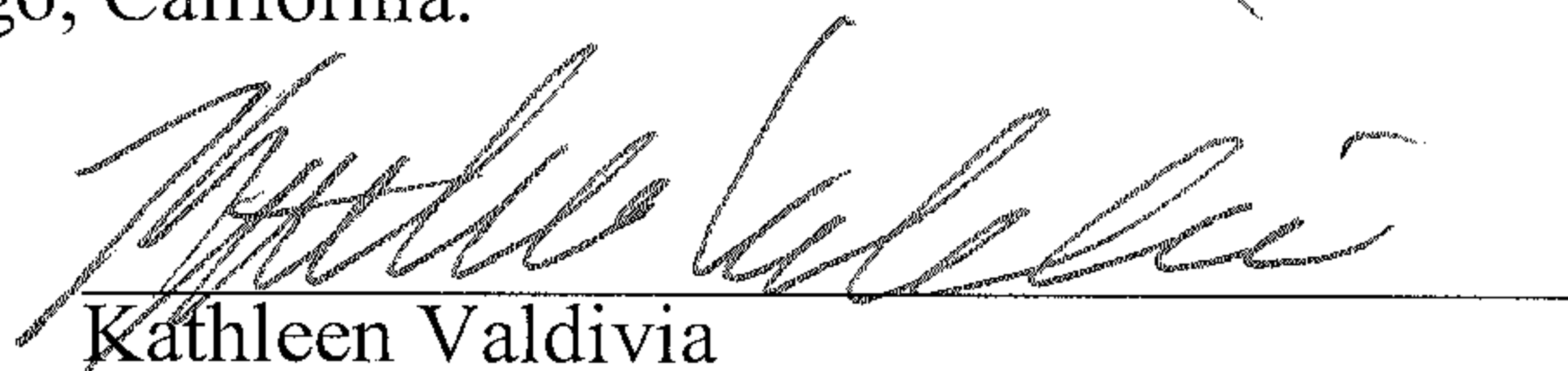
12 (BY PERSONAL SERVICE): I caused such envelope to be delivered by hand to the offices of the
13 addressee:

14 (BY FACSIMILE): I caused such document to be served on all parties to this action via facsimile
15 at the numbers indicated on the attached service list (C.C.P. Section 1012.5).

16 (State): I declare under penalty of perjury under the laws of the State of California that the above is
17 true and correct.

18 X (Federal): I declare that I am employed in the office of a member of the bar of this Court at whose
19 direction the service was made.

20 Executed on January 31, 2008, at San Diego, California.

21 
22 Kathleen Valdivia